<u>REMARKS</u>

Claims 1-50 are pending in the application. Claims 1-50 have been rejected under 35 U.S.C. § 102 and Claim 14 has been rejected under 35 U.S.C. § 101. The rejections are traversed.

<u>Regarding 102 Rejection</u>

Claims 1-50 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Bergman et al. (U.S. Patent 5,909,678).

As previously noted, the Applicants describe a system for editing query conditions, calculations, formulas and equations using hyperlinks. The hyperlinks can be selected so that a user can edit the value. Using hyperlinks for editing is useful in the sense that a user can edit in a familiar environment with a more readable interface.

As claimed, a hyperlink is displayed within a form so as to indicate to the user that the hyperlink value can be edited. The user can then select the hyperlink, which allows the user to interact with an element; i.e., the value, using a control. The user can edit the element, which results in the creation of a new element; i.e., a modified hyperlink.

Bergman is unrelated to the claimed use of hyperlinks. Instead, Bergman discusses a Java application that utilizes a drag and drop template to compose a structured natural language query. (Col. 5, Lines 8-10). As previously argued, Bergman provides a means to drag and drop iconic objects, i.e., query components, into a phrase receptacle to generate a structured natural language query.

The Applicants claim "*displaying a hyperlink for an element in the form, to indicate to a user that a control is available for the element.*" Bergman, in contrast, does not discuss the concept of using hyperlinks in relation to editing information. Thus, Bergman does not teach every claim limitation of Claim 1.

The Office Action states that "the scope of the term 'hyperlink' has been viewed broadly as a selectable region for a given element that implies user input." The Applicants strongly traverse that definition of a hyperlink. The term "hyperlink" has a well established definition as an element in an electronic document that links to another place, either in the displayed document or to another document. That is how "hyperlink" is used in the specification. The Office cannot simply make up a definition that is inconsistent with the definition that is understood by those skilled in the art.

Independent Claims 11, 13, 14, and 41 have similar limitations and should also be allowable for the reasons stated above. The allowability of the dependent claims should follow. The Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) as being anticipated by Bergman be withdrawn.

Regarding 101 Rejection

Claim 14 has been rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Applicants respectfully disagree.

Claim 14 is directed to *"a computer data signal embodied in a carrier wave for editing a form."* To support the rejection, the Office Action states that a "computer data signal representing program code in a carrier wave is not tangible." The Office Action also seems to suggest that the claim is directed to a data structure that is not embodied in a computer-readable medium. The Applicants disagree.

First, the Office has cited no authority for its proposition that computer data signals are non-statutory because of the use of carrier waves. The Office has also offered no legal definition of "tangible".

Furthermore, the Applicants assert that carrier waves are tangible. Carrier waves are electromagnetic signals and can be detected and measured, and can transmit data over great distances. Indeed, a carrier wave of sufficient amplitude and frequency can be sensed by a human. While a signal transmitted by an electromagnetic signal is tangible, it can be transitory.

As explained in MPEP § 2106(IV)(B)(1)(c) "...a signal claim directed to a practical application of electromagnetic energy is statutory regardless of its transitory nature." Because Claim 14 is a signal claim directed to a practical application of electromagnetic signals by carrying a program code segment for displaying, presenting, and replacing, it is a statutory claim.

As to the Office's last point that Claim 14 is directed to a data structure, the claim speaks for itself. Claim 14 is directed to a computer data signal, not a data structure. That data signal includes program code segments for performing various functions. Those functional program code segments are not data structures. They are software instructions. The reasoning for the rejection is therefore misplaced.
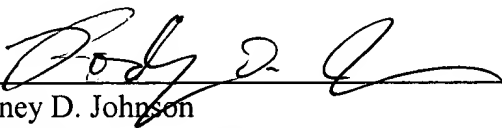
Accordingly, the Applicants respectfully urge that the rejection of Claim 14 under 35 U.S.C. § 101 be withdrawn.

CONCLUSION

In view of the above remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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